

## REMARKS

This application has been carefully reviewed in light of the Office Action dated August 22, 2006. Claims 126 to 147 are in the application. Claims 126, 136, 146 and 147 are independent. Reconsideration and further examination are respectfully requested.

The Applicants thank Examiner Nguyen for his courtesies and thoughtful treatment afforded Applicants' representatives during a series of interviews conducted by telephone. During an interview on June 8, 2006, Applicants contended that neither "Pad: An Alternative Approach to the Computer Interface" (Perlin) or "Developing Calendar Visualizers for the Information Visualizer" (Mackinlay) were seen to disclose or suggest the feature of setting in a background indicating a hierarchical level, a first area in which data item(s) belonging to a parent hierarchical level is displayed and a second area in which data item(s) belonging to a child hierarchical level is displayed, so that the first and second areas are displayed exclusively and without overlapping each other in a display area of every hierarchical level.

However, the Examiner took the position that in Mackinlay's Figure 3, the "blocks" shown in the display of the weekly schedule could be interpreted as data items, and that the weekly schedule therefore showed data items in a "parent" hierarchical level to the data items shown in the "child" daily schedule, in a display of both hierarchical levels. Thus, no agreement on the claims was reached. In this regard, Applicants do not concede that the Examiner's characterization of the art is correct.

Nonetheless, Applicants requested that the Examiner consider proposed amendments to the claims following the telephonic interview, and the Examiner agreed. Accordingly, Applicants faxed proposed claims to the Examiner on June 9, 2006. However, the Examiner was unable to provide comments on the proposed claims, and instead mailed the present Final Office Action on August 22, 2006. Applicants subsequently contacted the Examiner and re-sent the proposed claims on September 15, 2006. The Examiner responded on September 25, 2006, indicating his belief that the proposed amendments were not sufficient to place the claims in condition for allowance. Therefore, no agreement was reached regarding the claims.

Turning now to the present Office Action, Claims 126 to 147 were rejected under 35 U.S.C. § 103(a) over "Pad: An Alternative Approach to the Computer Interface" (Perlin) in view of "Developing Calendar Visualizers for the Information Visualizer" (Mackinlay). Reconsideration and withdrawal of this rejection are respectfully requested.

Referring specifically to claim language, independent Claim 126 as amended is directed to a hierarchical data display method of displaying hierarchically managed data items. The method includes setting in a background indicating a parent hierarchical level, a first area in which parent data item(s) belonging to a parent hierarchical level is displayed and a second area in which child data item(s) belonging to a child hierarchical level and different from the parent data item(s) is displayed, so that the first and second areas are displayed exclusively and without overlapping each other in a display area of every hierarchical level, and controlling a display of parent and child data

icons respectively representing the parent and child data items while separating the parent and child data icons into each of the first and second areas.

Claims 136, 146 and 147 are directed to an apparatus, a program and a computer-readable storage medium, respectively, substantially in accordance with the method of Claim 126.

The applied art is not seen to disclose or suggest the features of the present invention, and in particular is not seen to disclose or suggest at least the feature of setting in a background indicating a parent hierarchical level, a first area in which parent data item(s) belonging to a parent hierarchical level is displayed and a second area in which child data item(s) belonging to a child hierarchical level and different from the parent data item(s) is displayed, so that the first and second areas are displayed exclusively and without overlapping each other in a display area of every hierarchical level.

In this regard, page 3 of the Office Action concedes that Perlin does not explicitly teach that the claimed first and second areas are displayed exclusively and without overlapping each other, or data icons representing data items. As pages 6 and 7 of the Office Action elaborate, “Perlin does not teach ‘a first area in which data item(s) belonging to a parent heirarchical level is displayed and a second area in which data item(s) belonging to a child hierarchical level is displayed, so that the first and second areas are displayed exclusively and overlapping each other in a display area of every hierarchical level[.]’” Instead, the Office Action contends Mackinlay discloses these features.

However, Mackinlay is not seen to remedy the shortcomings of Perlin. In this regard, particular attention is drawn to Mackinlay's Figure 3, which illustrates a "Spiral Calendar" for depicting a schedule. See Mackinlay, page 111. The Spiral Calendar is "designed for rapid access to an individual's daily schedule." Mackinlay, Abstract and Figure 3 caption. As understood by Applicants, the Spiral Calendar allows a user to enter events or appointments for a particular day. On a weekly calendar, those daily events may be depicted by rectangular blocks which represent events for each day.

However, Mackinlay is not seen to disclose or suggest the feature of setting in a background indicating a parent hierarchical level, a first area in which parent data item(s) belonging to a parent hierarchical level is displayed and a second area in which child data item(s) belonging to a child hierarchical level and different from the parent data item(s) is displayed, so that the first and second areas are displayed exclusively and without overlapping each other in a display area of every hierarchical level.

In particular, Mackinlay is seen to disclose registering data items only at a daily level. Moreover, the rectangular blocks at the "parent" weekly level are not seen to display data items that are different from the "child" daily items.

For example, in Figure 3 of Mackinlay, information for data items registered at "August 17, 1993" is displayed. However, as can be seen from the figure, the rectangular blocks at the weekly level are simply another display of the data items registered at the date level for August 17, 1993, such as "ISTL Lab Meeting". In fact, the vertical position of the blocks on the weekly calendar appears to indicate the relative time of day of the corresponding registered daily event. Accordingly, even if Mackinlay's

rectangular blocks at the weekly level could somehow be interpreted as displaying data items, which is not conceded, the rectangular blocks are not seen to display data items that are different from the “child” daily data items. Moreover, the month and year calendars are not seen to display data items at all.

Therefore, Mackinlay is not seen to disclose or suggest the features missing from Perlin.

Accordingly, independent Claims 126, 136, 146 and 147 are believed to be in condition for allowance, and such action is respectfully requested at the Examiner’s earliest convenience.

The other claims in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office at (714) 540-8700. All correspondence should continue to be directed to  
our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

Frank L. Cire  
Attorney for Applicants  
Registration No.: 42,419

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

CA\_MAIN 123784v1